

**Nov 09, 2023**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

PAMELA L.,

Plaintiff,

v.

KILOLO KIJAKAZI, ACTING  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 1:23-CV-03087-ACE

ORDER GRANTING STIPULATED  
MOTION FOR REMAND  
PURSUANT TO SENTENCE FOUR  
OF 42 U.S.C. § 405(g)

**ECF No. 16**

**BEFORE THE COURT** is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 16. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Frederick Fripps represents Defendant. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion to Remand, **ECF No. 16**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for a *de novo* hearing and further administrative action pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the Commissioner shall instruct the Administrative Law Judge (ALJ) to: (1) reevaluate the listings at step three and give further consideration to the residual functional capacity finding; (2) take any necessary action to complete

1 the administrative record and the sequential evaluation; and (3) issue a new  
2 decision. Plaintiff shall have the opportunity to submit new evidence.

3 2. **Judgment shall be entered for PLAINTIFF.**

4 3. Plaintiff's Opening Brief, **ECF No. 12**, is **STRICKEN AS MOOT**.

5 4. An application for attorney fees, expenses and costs may be filed by  
6 separate motion.

7 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
8 Order, forward copies to counsel, and **CLOSE THE FILE**.

9 DATED November 9, 2023.



A handwritten signature in blue ink, reading "Alexander C. Ekstrom", is written over a horizontal line.

ALEXANDER C. EKSTROM

UNITED STATES MAGISTRATE JUDGE